

To: Johnson, Kathleen[Johnson.Kathleen@epa.gov]; Hanf, Lisa (Separated 8/22/15)[Hanf.Lisa@epa.gov]; Goforth, Kathleen[Goforth.Kathleen@epa.gov]
Cc: Hessert, Aimee[Hessert.Aimee@epa.gov]; Leff, Karin[Leff.Karin@epa.gov]
From: Bromm, Susan
Sent: Mon 7/13/2015 7:28:00 PM
Subject: FW: Status: Bay Delta

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This is odd. It seem like this has not been published in the FR. If that is correct the public comment period has not officially started. Do you know the status? Thanks

Sent from my Windows Phone

From: Rountree, Marthea
Sent: 7/13/2015 1:24 PM
To: Bromm, Susan
Subject: RE: Status: Bay Delta

Susan,

I do not see it in CDX nor was it published in Friday's (July 10th) federal register. It was not in last week's FR (July 2nd) either.

However, the website does state the following: **RDEIR/SDEIS Public Review (July 10, 2015 through August 31, 2015)**

<http://baydeltaconservationplan.com/2015PublicReview.aspx>

Thanks,

MR

From: Bromm, Susan
Sent: Monday, July 13, 2015 12:41 PM
To: Rountree, Marthea
Subject: FW: Status: Bay Delta

Marthea,

Are you acting today? If so can you find out if this was published/released.

Rhanks

Sent from my Windows Phone

From: Johnson, Kathleen
Sent: 7/6/2015 12:59 PM
To: Giles-AA, Cynthia; Wilson, Shari; Bromm, Susan
Cc: Blumenfeld, Jared; Woo, Nancy; Strauss, Alexis
Subject: Status: Bay Delta

All,

We anticipate that the Supplemental DEIS for the Bay Delta Conservation Plan (now called WaterFix) will be released by the Bureau of Rec late on **July 9th or July 10th** for a 45 day comment period. (If they grant an extension, we anticipate it would be a short one.) As a reminder, the SDEIS is substantially different than the earlier plan in numerous respects including the following:

∇ The Plan will now identify a preferred alternative centered around construction of a tunnel which will add intakes in the north delta – paired down from the original plan seeking approval of a long-term Habitat Conservation Plan. The larger habitat conservation measures will not be included. (The state contends that it will still move forward on these measures through a separate process.) The mitigation measures will be limited to impacts from the new tunnel.

∇ The Bureau of Rec is now the sole lead federal agency. NMFS and Fish and Wildlife are no longer serving as lead agencies. These agencies have largely shifted their focus from the SDEIS to the Section 7 process under the ESA. A Biological Opinion is expected around September 30th.

∇ The Army Corp has stated it will use this document, to the extent possible, as the NEPA document supporting its permit decision. After the Army issues its notice of a pending permit application, we anticipate sending an ARNI letter to the Corp.

Our staff has been diligently working to review bits and pieces of the document as they have been sent to us. Note, however, we only had 10 days to review the Admin Draft totaling over 4,000 pages. Although some helpful changes have been made, there remains a number of significant concerns with the document we have seen so far. Among our concerns, modeling shows that Water Quality Standards will increase in some areas and we continue to have significant concerns about the overall impact to fish in the delta.

Ex. 5 - Deliberative

5 - Deliberative

We will keep in close touch on this as we near our letter due date the end of August. Please feel free to give us a call about any of this.

Kathleen

Kathleen H. Johnson

Director, Enforcement Division

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